

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, October 7, 2005 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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NEW CASES

- V-05-245** Appeal of **Lorenzo Wallace** of a decision of an Administrative Officer (i.e., staff person) to issue a building permit based on what Mr. Wallace claims were fraudulent property documents. Property is located at **1238 MARTIN LUTHER KING JR DRIVE S.W.**, fronts 52 feet on the south side of Martin Luther King Jr. Drive and Begins on the southeastern corner of Martin Luther King Jr. Drive and Burbank Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 141 of the 14th District, Fulton County, Georgia.
Owner: GA Maintenance and Contracting
Council District 4, NPU-K
- V-05-262** Appeal of **Stephen Fusco, Esq.** on behalf of **Mr.** of a decision of an Officer (i.e., staff person) of the Bureau of Planning to refuse to accept an application for land subdivision after passage of a moratorium against such applications, which occurred after his previous attempts to file the application prior to passage the moratorium. Property is located at **425 BROADLAND ROAD N.W.**, fronts 131.56 feet on the south side of North Broadland Road, beginning on the northwest corner of Broadland Road and North Broadland Road. Zoned R-3 (Single-Family Residential) District. Land Lot 139 of the 17th District, Fulton County, Georgia.
Owner: Michael J. Daugherty
Council District 8, NPU-A
- V-05-239** Application of **Trey Lucas** for variances from the zoning regulations to 1) reduce the public sidewalk minimum width requirement from 15 feet to 8.3 feet and 2) reduce the fenestration (i.e. windows) from the required 75% of street frontage on Flat Shoals Avenue to 0% for an addition to an existing gas station/convenience store. The property is located at **356 MORELAND AVENUE S.E.**, fronts 209 feet on the west side of Flat Shoals Avenue and begins 50 feet north of the northwestern corner of Flat Shoals Avenue and McPherson Avenue. Zoned NC-2 (East Atlanta Neighborhood Commercial) District. Land Lot 177 of the 15th District, DeKalb County, Georgia.
Owner: Alnoor Gulamhussian
Council District 5, NPU-W
- V-05-241** Application of **Mark A. Inman** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 17.5 feet to 12 feet to allow an existing porch to be converted to enclosed living space. The property is located at **744 ELKMONT DRIVE N.E.**, fronts 50 feet on the east side of Elkmont Avenue, and begins on the corner of Brookridge Drive and Elkmont Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 53 of the 17th District, Fulton County, Georgia.
Owner: Mark A. Inman
Council District 6, NPU-F

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- V-05-242** Application of **Daniel J. Weidmann** for a variance from the zoning regulations to reduce the north side yard setback from the required 7 feet to 4.5 feet for a second story addition to an existing house. The property is located at **751 ELKMONT DRIVE N.E.**, fronts 68 feet on the west side of Elkmont Drive, and begins 358.6 feet northeast of the northeastern corner of Elkmont Drive and Park Drive. Zoned R-4 (Single- Family Residential) District. Land Lot 53 of the 17th District, Fulton County, Georgia.
Owner: Bill & Mary Avery
Council District 5, NPU-W
- V-05-243** Application of **Frieda Peatross** for a variance from the zoning regulations to reduce the front yard setback from the required 30 feet to 20 feet for a 3rd story addition to a single family house. The property is located at **421 7TH STREET N.E.**, fronts 88 feet on the south side of 7th Street, and begins 150 feet west of the southwestern corner of 7th Street and Charles Allen Drive. Zoned R-5 (Two- Family Residential) District. Land Lot 48 of the 14th District, Fulton County Georgia.
Owner: Ira J. Hirmanpour & Frieda Peatross
Council District 2, NPU-E
- V-05-244** Application of **Katrina D. Anding** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 3 feet for an addition to a single-family house. The property is located at **768 CLEMONT DRIVE N.E.**, fronts 55 feet on the north side of Clemont Drive, and begins 251.9 feet east of the northeastern corner of Clemont Drive and Park Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 53 of the 17th District, Fulton County, Georgia.
Owner: Katrina D. Anding
Council District 6, NPU-F
- V-05-246** Application of **David Bartley** for a special exception from the zoning regulations for 1) a 5-foot high wrought-iron fence with 6-foot high columns in the front yard setback and half-depth front yard setback, and 2) for an active recreation use (i.e., a swimming pool) adjacent to a public street (i.e., no intervening structures), where otherwise prohibited. The property is located at **1096 WEST PACES FERRY ROAD, N.W.**, fronts 175.9 feet on the south side of West Paces Ferry Road, and begins on the southeastern corner of West Paces Ferry Road and Pinestream Road. Zoned R-2 (Single-Family Residential) District. Land Lot 181 of the 17th District, Fulton County, Georgia.
Owner: Susan Been
Council District 8, NPU-A

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- V-05-247** Application of **Land Logistics, LLC** for 1) a special exception from the zoning regulations to allow a detached garage and gazebo addition to an existing legal non-conforming duplex, where it is otherwise prohibited. 2) Applicant also seeks a variance from the zoning regulations to increase the maximum height of an accessory structure from the required 20 feet to 24 feet and 3) increase the total floor area of an accessory structure from 30% of that of the main structure to 60 %. The property is located at **891 NORTH EUGENIA PLACE N.W.**, fronts 100 feet on the east side of North Eugenia Place, and begins 100 feet south of the southeastern corner of Newman Place and North Eugenia Place. Zoned R-4A (Single-Family Residential) District. Land Lot 176 of the 14th District, Fulton County, Georgia.
Owner: Elgin Jordan
Council District 9, NPU-J
- V-05-248** Application of **Peter Scott** for a variance from the zoning regulations to reduce the front yard setback from the required 35 feet to 23 feet for a second story addition to a single-family house. The property is located at **658 CRESTHILL AVENUE N.E.**, fronts 50 feet on the north side of Cresthill Avenue, and begins 200 feet west of the northwestern corner of Cresthill Avenue and Elmwood Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 53 of the 17th District, Fulton County, Georgia.
Owner: Peter Scott
Council District 6, NPU-F
- V-05-249** Application of **Richard Callaway** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 5 feet to allow a handicap ramp structure addition to an existing house. The property is located at **2430 EDGEWOOD DRIVE S.W.**, fronts 113.7 feet on the south side of Edgewater Drive, and begins 450 feet west of the southwestern corner of Bollingbrook Drive and Edgewater Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 182 of the 14th District, Fulton County, Georgia.
Owner: Richard Callaway
Council District 11, NPU-I
- V-05-250** Application of **Laura Rouse** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 2.2 feet for an addition to a single-family house. The property is located at **1121 McLYNN AVENUE N.E.**, fronts 40 feet on the south side of McLynn Avenue, and begins 110 feet west of the southwestern corner of McLynn Avenue and North Morningside Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Laura Rouse
Council District 6, NPU-F

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- V-05-251** Application of **Randy E. Pimsler** for a special exception from the zoning regulations to reduce parking from the required 59 spaces to 39 spaces, and provide off-site parking within 500 feet for the expansion of an existing restaurant. The property is located at **1526 DEKALB AVENUE N.E.**, fronts 175 feet on the west side of DeKalb Avenue and begins on the corner of DeKalb Avenue and Mell Avenue. Zoned C-2 (Commercial Service) District. Land Lot 210 of the 17th District, DeKalb County, Georgia.
Owner: Patrick Murray
Council District 6, NPU-N
- V-05-252** Application of **Suzann W. Moore** for a variance from the zoning regulations for 1) parking in the side yard setback where it is otherwise prohibited, and to 2) reduce the east side yard setback from the required 10 feet to 2 feet for an addition to a single- family house. The property is located at **3119 ARDEN ROAD N.W.**, fronts 100 feet on the south side of Arden Road, and begins 250 feet east of the southeastern corner of Arden Road and West Pine Valley Road. Zoned R-3 (Single- Family Residential) District. Land Lot 142 of the 17th District, Fulton County, Georgia.
Owner: Suzann W. Moore
Council District 8, NPU-C
- V-05-253** Application of **Rachael Jernigan** for a variance from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 4.6 feet and 2) reduce the south side yard setback from the required 7 feet to 4.6 feet for construction of a single- family house. The property is located at **78 SELMAN STREET S.E.**, fronts 40 feet on the west side of Selman Street, and begins 220 feet south of the southwestern corner of Wylie Street and Selman Street. Zoned R-5 (Two-Family Residential) District. Land Lot 13 of the 14th District, Fulton County, Georgia.
Owner: Bryan Jernigan
Council District 5, NPU-N
- V-05-254** Application of **Serge Watson** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 15 feet to 8.6 feet for construction of a single-family house. The property is located at **1022 Wylie Street S.E.**, fronts 58 feet on the north side of Wylie Street, and begins on the northeastern corner of Weatherby Street and Wylie Street. Zoned R-5 (Two-Family Residential) District. Land Lot 13 of the 14th District, Fulton County, Georgia.
Owner: Debbie Raw
Council District 5, NPU-N

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- V-05-255** Application of **Serge Watson** for a variance from the zoning regulations to reduce the half depth front yard setback from the required 15 feet to 8 feet for construction of a single-family house. The property is located at **1016 WYLIE STREET S.E.**, fronts 57 feet on the north side of Wylie Street, and begins on the northwestern corner of Weatherby Street and Wylie Street. Zoned R-5 (Two-Family Residential) District. Land Lot 13 of the 14th District, Fulton County, Georgia.
Owner: Debbie Raw
Council District 5, NPU-N
- V-05-256** Application of **Daniel D. Yellot** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 5 feet for construction of a single-family house. The property is located at **1493 McLENDON AVENUE N.E.**, fronts 50 feet on the east side of McLendon Avenue, and begins 355 feet north of the northeastern corner of Candler Park Drive and McLendon Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 210 of the 15th District, DeKalb County, Georgia.
Owner: Robert Fleming
Council District 6, NPU-N
- V-05-257** Application of **The Howard School, Inc.** for a special exception from the zoning regulations to reduce the parking from the required 133 spaces to 87 spaces for construction of a private school. The property is located at **1192 FOSTER STREET N.W.**, fronts 212 feet on the west side of Foster Street, and begins 258 feet south of the southwestern corner of Earnest Street and Foster Street. Zoned O-I (Office Institutional) District. Land Lots 150 & 189 of the 17th District, Fulton County, Georgia.
Owner: The Howard School, Inc.
Council District 9, NPU-D
- V-05-258** Application of **Kevin J. Maher** for a special exception from the zoning regulations to reduce parking from the required 16 spaces to 12 spaces for renovation of and conversion of an existing multifamily residential rental building to condominiums. The property is located at **780 DIXIE AVENUE N.E.**, fronts 50 feet on the north side of Dixie Avenue, and begins 272.5 feet east of the northeastern corner of Dixie Avenue and Waddell Street. Zoned RG-2 (Residential General-Sector 2) District. Land Lot 19 of the 14th District, Fulton County, Georgia.
Owner: Raja Investments
Council District 2, NPU-N

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- V-05-259** Application of **Nicole Hill** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 4 feet to allow for an addition to an existing single-family house. The property is located at **637 McGRUDER STREET N.E.**, fronts 35 feet on the south side of McGruder Street, and begins 197 feet west of the southwestern corner of Sampson Street and McGruder Street. Zoned R-5 (Two-Family Residential) District. Land Lot 19 of the 14th District, Fulton County, Georgia.
Owner: JP Building Group
Council District 2, NPU-M
- V-05-260** Application of **Alfonso McAfee** for a special exception from the zoning regulations to 1) reduce on-site parking from the required 31 spaces to 6 spaces and 2) allow for off-site parking within 500 feet of the primary use, all to allow for a restaurant use. The property is located at **301 14TH STREET N.W.**, fronts 48 feet on the north side of 14th Street, and begins 49 feet west of the northwestern corner of Francis Street and 14th Street. Zoned C-2 (Commercial Service District Regulations). Land Lot 108 of the 17th District, Fulton County, Georgia.
Owner: Hoa Thanh Hoang
Council District 2, NPU-E
- V-05-263** Application of **Rashon Smith** for a variance from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 15 feet and 2) reduce the rear yard setback from the required 15 feet to 8 feet for construction of a single-family house. The property is located at **131 PEAR STREET S.E.**, fronts 50 feet on the south side of Pear Street, and begins 57 feet west of the southwestern corner of Pear Street and Martin Street. Zoned R-4A (Single-Family Residential) District. Land Lot 56 of the 14th District, Fulton County, Georgia.
Owner: RDI Investments
Council District 1, NPU-Y
- V-05-264** Application of **Monica Woods** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 3 feet, and 2) reduce the south side yard from the required 7 feet to 5 feet for construction of a single-family house. The property is located at **551 SUNSET AVENUE N.W.**, fronts 29.4 feet on the east side of Sunset Avenue, and begins 87.4 feet south of the southeastern corner of North Avenue and Sunset Avenue. Zoned R-4A (Single-Family Residential) District. Land Lot 111 of the 14th District, Fulton County, Georgia.
Owner: JLW Development LLC
Council District 3, NPU-L